

Frederick County Ethics Commission
Minutes for the Public Meeting of Wednesday, July 11, 2018

Present: Stephen K. Hess, Chair
 Ernest A. Heller, Vice-Chair
 M. Shane Canfield, Commission Member
 Deidre R. Davidson, Commission Member
 Christopher D. Glass, Sr., Commission Member
 Deborah L. Lundahl, Commission Member
 Alan Shapiro, Commission Member
 Rev. Douglas P. Jones, Alternate Commission Member
 Linda B. Thall, Senior Assistant County Attorney

The meeting of the Frederick County Ethics Commission began at 7:00 p.m. on July 11, 2018, in the Winchester Room on the 2nd floor of Winchester Hall, 12 East Church Street, Frederick, Maryland 21701.

Introduction of new member – Rev. Jones was recently appointed and confirmed as the Commission’s Alternate Member. Rev. Jones was introduced to the other members of the Commission and shared information about his experience and background.

Election of Chair and Vice-Chair – Mr. Hess completed his term as the Commission’s Chair. Mr. Tosten, the Vice-Chair, did not seek reappointment to the Commission when his term expired on June 30, leaving the position of Vice-Chair vacant.

MOTION: Mr. Heller nominated Mr. Hess to another one-year term as the Chair. Mr. Canfield seconded the motion, which was approved by unanimous consent.

MOTION: Ms. Davidson nominated Mr. Glass as the Vice-Chair. Mr. Canfield seconded the motion, which was approved by unanimous consent, subject to Mr. Glass agreeing to take the position.

Mr. Glass subsequently withdrew his name from consideration, due to other time commitments.

MOTION: Mr. Glass nominated Mr. Heller to serve as Vice-Chair. Mr. Shapiro seconded the motion, which was approved by unanimous consent.

Approval of minutes – The draft minutes from the May 9, 2018 meeting were emailed to the members before the meeting.

MOTION: Mr. Heller made a motion to approve the minutes. The motion was seconded by Ms. Lundahl and approved unanimously.

Bill 18-14 – Ms. Thall advised the Commission that the County Council enacted Bill 18-14, which made several changes to the Ethics Law, on June 5 and that the changes would take effect on August 4, 2018.

New annual report requirement – Ms. Thall discussed Senate Bill 474, which was signed into law by the Governor. The Bill requires the Ethics Commission to meet at least once a year and to file an annual report by October 1 each year. The report must state the number of meetings held during the past year and include copies of the meeting agendas and minutes from each meeting. The Bill permits the Commission to include other documents or information in the report to show the work performed by the Commission in the previous year. Items identified for possible inclusion in the first report are the Commission's training recommendations, decisions on complaints and advisory opinions. The report must be submitted to the County Executive and the County Council. The Commission asked that the report be included as a topic for further discussion at the Commission's August meeting.

Vote to conduct an administrative function meeting – The Commission discussed the need to have an administration function meeting to consider a request for an advisory opinion made by an individual seeking guidance about the application of the Public Ethics Law to his situation.

MOTION: Ms. Lundahl made a motion to hold an administrative function meeting to discuss the pending request for an advisory opinion. Mr. Shapiro seconded the motion, which was approved unanimously.

Required information regarding the administrative function meeting – The Commission began its administrative function meeting at approximately 7:30 p.m. on July 11, 2018, in the Winchester Room on the 2nd floor of Winchester Hall, 12 East Church Street, Frederick, Maryland 21701. All of the Commission members and the Alternate Member were present, as was Ms. Thall. The Commission members discussed the section of the Public Ethics Law at issue, how the provision should be construed and what action was needed on the individual's part to comply with the law. The members unanimously agreed on the law's requirements and the action necessary and directed that an advisory opinion be drafted consistent with the Commission's discussion.

The Commission resumed its public meeting at approximately 7:45 pm.

Discussion of training recommendations – Mr. Heller, Ms. Davidson and Mr. Shapiro updated the other Commission members on the preparation of the Commission's recommendations for training officials and employees on the requirements of the Ethics Law. Ms. Davidson distributed a draft handout that could be used as an attachment to the Commission's recommendations. The members were asked to provide comments and suggestions on the handout before the August meeting.

Adjournment

The Ethics Commission adjourned its meeting at 8:10 p.m.

/s/
Linda B. Thall, Senior Assistant County Attorney